

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v

Case No. 20-20085

Honorable Thomas L. Ludington

BRITTAN J. ATKINSON,

Defendant.

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**ORDER REJECTING STIPULATION FOR SUBSTITUTION OF COUNSEL**

On February 12, 2020, an indictment was issued against Defendant Brittan J. Atkinson, charging him with sending an email containing a threat to cause personal injury to the recipient in violation of 18 U.S.C. 875(c). ECF No. 1. On February 20, 2020, Magistrate Judge Patricia Morris appointed a federal community defender to represent Defendant. ECF No. 6. Attorney Steven J. Jacobs subsequently filed an attorney appearance on behalf of Defendant. ECF No. 10.

On April 15, 2020, Attorney Donald Neville filed a “Stipulation for Substitution of Counsel.” It contained Attorney Jacobs’ signature representing that Attorney Jacobs consented to Attorney Neville substituting him as defense counsel. However, the stipulation does not contain the signature of Defendant or the Government. Local Rule 57.1 provides:

An attorney who has appeared in a criminal case may thereafter withdraw only by written motion served upon the defendant personally or at the defendant's last-known address and upon all other parties.

Attorney Neville has not complied with this rule. Accordingly, the stipulation will be rejected. He may file a motion to appear as defense counsel for consideration by the Court. If Attorney Neville files such a motion, he is advised to explain how Defendant is able to retain his services when Defendant was initially determined to be eligible for court-appointed counsel.

Accordingly, it is **ORDERED** that Defendant's "Stipulation for Substitution of Counsel" is **REJECTED**.

Dated: April 27, 2020

s/Thomas L. Ludington  
THOMAS L. LUDINGTON  
United States District Judge

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney of record herein by electronic means and to attorney Donald Neville by email at [nevillelawoffice@gmail.com](mailto:nevillelawoffice@gmail.com) on April 27, 2020.

s/Kelly Winslow  
KELLY WINSLOW, Case Manager

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN (BAY CITY)  
UNITED STATES OF AMERICA

Plaintiff,

Case No. 1:20-cr-20085-TLL-TPM

Hon. Thomas L. Ludington

Magistrate Judge:Patricia T. Morris

vs.

BRITTAN J. ATKINSON

Defendant.

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**STIPULATION FOR SUBSTITUTION OF COUNSEL**

I replace attorney, Stevens J. Jacobs, on behalf of Defendant Brittan J. Atkinson, and request copies of all papers filed in this case after this date. I further state that Mr. Atkinson retained my office through meeting with his spouse and fully consents to the substitution of counsel as stated herein. His signature is not affixed to this document due to the Covid 19 crisis.

Dated: 04/14/2020

/s/ Donald J. Neville

Donald J. Neville (P60213)

[nevillelawoffice@gmail.com](mailto:nevillelawoffice@gmail.com)

101 W. Clinton Street

Howell, MI 48843

(517) 546-8400

**CONSENT**

I HEREBY CONSENT to the Appearance of Donald Neville (P60213) as substitute/retained counsel for Defendant Brittan J. Atkinson in this court and cause.

Dated: 04/14/2020 /s/Steven J. Jacobs (by email and  
phone consent on April 14, 2020.

Stevens J. Jacobs (P35020)

JACOBS LAW OFFICE P.C.

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(989) 892-8611

**ORDER**

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

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Honorable Thomas L. Ludington